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R E M A R K S

ON THE NEW

E S S A Y

OF THE

PENSYLVANIAN FARMER;

AND ON THE

RESOLVES and INSTRUCTIONS

Prefixed to that ESSAY;

By the AUTHOR of the Right of the British
Legislature vindicated.

Mihi credite, major hæreditas venit unicuique vestrum in iisdem
bonis a JURE et a LEGIBUS, quam ab iis a quibus illa ipsa
bona relicta sunt.

Cicero pro Cæcina.

We must have continually present to our minds the difference
between independence and liberty. Liberty is a right of doing
whatever the laws permit; and if a citizen could do what
they forbid, he would no longer be possessed of liberty, because
all his fellow-citizens would have the same power.

Montesquieu, Spirit of Laws.

L O N D O N,

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R E M A R K S, &c.

I Never remember to have perused a discourse, to which the name of *Essay* is more aptly suited than to this Philadelphian production. It is indeed such an essay as that of Don Quixote to stop the brisk motion of a wind-mill; or rather like that of Phaeton to conduct the chariot of the sun, the event of which proved, that though capacity and skill be required to *enlighten*, yet a very bungler may *enflame*. There needs no thunder-bolt to toss this Essayist from his lofty sphere; his own folly and rashness will tumble him down, probably never to rise again. Were his presumptuous folly of the innocent kind, one might look on unconcerned; but as it gives the falsest ideas of the British Constitution, and tends not only to dazzle but mislead, it merits the detestation of every honest man, and cannot too soon be exposed. I,

Who hate when nonsense bolts her arguments,
And plain sense wants a tongue to check her
pride,

will therefore, in the following pages, endeavour to detect the follies and fallacies of this Pensylvanian Farmer, who if he had remembered the pro-

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verb,

verb, *tractent fabrilis fabri*, would have stuck to his plough, and not been so busy in disturbing the machine of state.

British subjects, in Europe and America, have actually nothing to quarrel about, on the point of parliamentary authority, were they to adhere to the principles of the constitution, and not suffer themselves to be misled by factious men; but they have shewn themselves of late years so easy to be duped, that now the deceivers think, the less regard they have to modesty and veracity, the more likely they are to persuade. The author of the *Pensylvanian Essay* does not proceed ten lines before he advances the following seditious falsehood, *Great Britain claims a right to take away nine tenths of our estates—have we a right to the remaining tenth? No.* He may say that this is a supposed case; but I affirm that it is a case not supposable upon the principles of the British constitution. It has been demonstrated, in the Right of the British Legislature to tax the American Colonies vindicated, *that a right to a part gives no right to the whole*; and that the latter cannot justly be inferred from the former, notwithstanding Mr. Locke has dropt into that absurdity, an absurdity that would revolt the understanding of an infant of six years of age, were its nursery-maid to argue with it, that because she had a right to lay one blanket upon it, she therefore had a right to lay five hundred. Since the author intended to alarm by a frightful supposition, it would have suited his purpose better to have said, that Great Britain

Britain demanded ninety-nine hundred parts of the estates of the colonists, and that they had no right to the remaining hundredth part. But has the British parliament ever asked nine tenths of the estates of the colonists? So far from it, that reckoning the national income one hundred millions, (which sir William Petty, an hundred years ago, reckoned forty-five millions) the present expences of government, which are deemed sufficiently high, do not amount to half a crown in the pound of the national income. Of this half-crown, fifteen pence is owing to the burden of the national debt; and supposing the debt wholly reduced, and the number of British subjects augmented in Europe and America, government expences would not stand at more than one shilling in the pound of the incomes of all the subjects. No nation on the globe appears so happily situated for easiness of defence as the British nation and her colonies, and should the number of her people be doubled, the exertion for their defence would not require to be greater than at present; and yet the number of contributors being double, the share of each would be lessened one half. There is reason to conclude, therefore, that if nothing obstructs the prosperity of Great Britain and her colonies, in time they will be the most opulent and cheapest countries to be found in the western parts of the world, as the public expence for national defence, and for supporting the splendor of the monarch would seldom exceed one shilling in the pound, of the general income of the subjects. But of this shilling, (or of the present half-crown) the supreme Legislature

require the colonists to bear their proportionable share. O matter of great iniquity, and great terror!

The Essayist has indeed found out another topic of alarm: that as the supreme Legislature happens to be resident in Great Britain, it may throw the whole burden upon the poor colonists, who would not have a single soul in this island to speak in their behalf. Not a spark of justice or equity in Great Britain! Now the truth is, that while the late acts of government regarding the colonies appeared in the light of being unequitable or grievous to them, the warmest advocates for the colonists were to be found in this island, and no Briton could contend more strenuously for his own rights, than thousands of Britons contended for the rights of their brethren in the colonies. Indeed since they begin to perceive in which scale of the ballance the right lies, their natural equity leads them to support that right.

All that can be gathered from the unconnected sentences in the twelve or thirteen following pages of the Essay, and six or seven pages of the instructions, seems to be, "That though our constitution
" has not defined the limits of the prerogative
" of our kings; yet that prerogative certainly has
" a limit, and therefore the legislature has a li-
" mit, and cannot govern in all cases whatsoever." In handling this topic the author seems to rival the female politician of Swift; for,

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His arguments directly tend,
Against the side he would defend.

Who ever doubted that a line there must be, beyond which, both the prerogative and the legislative authority have no right to proceed? The wisdom of our constitution, however, has thought fit never absolutely to define the bounding line of either of those powers; and yet our Essayist, with all the perspicacity of a mole, undertakes to discover this evanescent point. The horizon which our farmer may view from the top of his parish steeple, has never yet been defined, and in practice, I affirm it will remain ever undefinable; for it is not always the same, being extended or contracted, according as the sky is clear or cloudy. In like manner the prerogative of our kings will ever remain in practice undefinable. When a virtuous sovereign, like a clear sky, gladdens the dominions of Great Britain, the people will behold, without alarm, some extensions of prerogative, which at another period would occasion a general discontent. When the times are gloomy under the reign of an arbitrary prince, a spirited people will jealously watch every act of prerogative, and endeavour to abridge the exercise of it; and a prince aiming at too much will be able to effect less, than another who has no arbitrary views. But though the constitution has not determined where the legal exercise of prerogative ends, and the illegal begins, a wise prince, who seeks his own happiness, and has a conscientious regard for the happiness of his subjects, will ever make
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it a law to himself that all his prerogative acts shall be far within the limits of his royal power.

As it is with the prerogative, so it is with the legislative power. Though it is a power certainly limitable in a moral sense; yet it is a power that never has been limited, nor never will be limited while the constitution lasts. All political authors, both republican and monarchical, agree in asserting the uncontrollable supremacy of parliament. Algernon Sidney, who certainly was no enemy to liberty, and who, as bishop Burnet says, had studied the history of government in all its branches beyond any man he ever knew, employs a whole chapter of his *Treatise on Government* to shew, *that the legislative power is always absolute*, or as he terms it, *always arbitrary*. Judge Hales, in his *Treatise of Parliament*, says, *the power and jurisdiction of parliament is so transcendent and absolute, as it cannot be confined either for causes and persons within any bounds*. If by any means a misgovernment should by any ways fall upon it, *the subjects of this kingdom are left without all manner of remedy*. Can words more strongly express the uncontrollable, the illimitable authority of parliament? What else then but the rankest hypocrisy in our Farmer and his fellow-resolvers can make them exclaim against this fundamental principle as an innovation only discovered within these few years? Why quote Dr. Blackstone for *alleging* a proposition, which was a fundamental principle an hundred, nay a thousand years, before Dr. Blackstone was born. The alarming words of the parliament's
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authority over the colonies in all cases whatsoever, say no more than this, *That the British parliament has the same power in America that it has in Great Britain ; or, the colonies have as good a right to the protection and superintendence of parliament, as the subjects in Great Britain.* Parliaments, however they may have been disliked by our arbitrary kings, have ever been regarded by the people as the chief redressers of all grievances respecting the state, whether within or without the circuit of the island ; and that the colonists have so considered them, till the present factious times, is evident from the many petitions of the colonies to parliament.

The right of uncontrollable supremacy being acknowledged by the greatest writers to be of the very essence of the supreme legislature ; to attack that right is *un coup porté au cœur*, a blow aimed at the heart, which if wounded, death and non-existence take place. These resolvers, however, in page 13. have the presumption to attack that right, upon an unconstitutional assumption of their own, *That they are not, and, from local circumstances, cannot be represented in parliament.* Now local circumstances have nothing to do with the general representation in parliament. They may indeed have something to do with territory and dominion ; for beyond certain boundaries it may not perhaps be prudent to extend a domination ; but wherever the British government and dominion can extend, *representation* can, and must extend. For there can be no legislature in the British state without elected deputies of the
people

people ; that is, without a house of commons. These elected deputies do not sit in the legislature in their own right, but in the character of representatives ; not surely representatives of the king, nor of the peers of the realm, nor yet exclusively of their own constituents, but of the whole body of the subjects. The whole body of the subjects, indeed, are not, and in no period of our history ever have been, *directly concerned* in electing those deputies. Nevertheless, as the deputies are to have not only a deliberative, but a deciding voice in the great national assembly or legislative body, their authority cannot be partial, but must of necessity be universal, as they, in conjunction with the other two branches of the legislature, form the *political will* of the state. Because the direct rays of the sun cannot, during six months, enter my north window, am I from thence to conclude that I can have no light from that window ? But reflected light is not more natural to our atmosphere, than reflected representation is to our constitution.

The inhabitants of Great Britain gladly acknowledge the supremacy of parliament *in all cases whatsoever* ; yet they have not the least apprehension that the legislature, in point of taxation, will imitate the foolish Borough of Shoreham, and offer not only four shillings in the pound, but the sixteen remaining. We in Great Britain sleep in security as to that point, and cannot but think that such a panic would be an affectation in the colonists. Though the greatest political writers, and

all good subjects, acknowledge the parliament to be supreme *in all cases whatsoever*, or, in other words, the authority of parliament to be unlimited; yet it does not from thence follow, as the factious colonists conclude, that it has *no limit*, or that the subjects have *no rights*. Where its legal authority ends, and its illegal power begins, is wisely left undecided by the constitution, which never supposes the case of its acting to the destruction of the *community*, that is, *of itself*; but thinks it equitable to leave great discretionary powers to it, since we do not scruple often to leave great discretionary powers to ambassadors, and generals of armies, independent of their instructions, which are to them what fundamental principles are to legislators, not to be trifled with, or wantonly to be departed from.

As acts of parliament are human acts, they may not always attain perfection; but that does not derogate from their authority over all the subjects. The Essayist affects to cry over the condition of the colonists, who, when they are aggrieved by acts of parliament, have only *the miserable alternative of supplication or violence*. Have we in Great Britain any other alternative? Yes, we have a third, I mean *obedience*; which I do not much wonder these factious colonists have omitted, since they have hitherto wholly neglected even the other alternative of *supplication*, the demon of sedition having so far blinded and infatuated them as to make them think only of *violence*. Lured by the false principles and shallow reasonings of

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designing men, they have imagined, that they have a right to refuse obedience to the supreme legislature of the state, of which they are members, because, forsooth, they have found out that the constitution of government is not perfect. I am far from thinking that the British constitution of government is perfect, but I will not dare to conclude from thence, that it has no authority; or that I need not obey, which I think would only be calling upon government to exercise against me that force, which nature and the constitution have entrusted it with. We in Great Britain, when imagining ourselves aggrieved by an act of parliament, find obedience to that act, joined with humble petitioning, to be the surest means of obtaining redress, and a repeal of the act. Have the colonists, in regard to the late acts of parliament, distinguished themselves either by obedience or humble petitioning?

As the purpose of the Essayist is to mislead and inflame, he, in page 41, again has recourse to another false proposition: "Because the constitution has not expressly declared the line betwixt the rights of the mother country, and those of her colonies, THEREFORE the latter have no *rights*, a logic equally edifying to men of sense and humanity." I will venture to say, that this is a logic to be found no where but in this Essay, and is a logic only fit for the brains of this writer. The constitution does not mean to draw any line betwixt the rights of the subjects in Great Britain, and the rights of the colonists, THEREFORE the just con-

onclusion is, *both have the same rights*, both are under the controul of parliament ; and as that does not disquiet the minds of the people of Great Britain, it ought not to disquiet the minds of the people of America.

The endless digressions of the Essayist's notes can no more be traced than the course of a ramb-ling spaniel over a field ; yet I shall here make a few remarks on the note beginning in page 45. and continued in the five following pages. He gives us, as a note, the following extract from Blackstone's Commentaries, "In a free state, every
 " man who is supposed a free agent, ought to be in
 " some measure his own governor, and therefore a
 " branch at least of the Legislative power ought
 " to reside in the whole body of the people. And
 " this power, when the territories of the state are
 " small, and its citizens easily known, should be
 " expressed by the people in their aggregate or
 " collective capacity, as was wisely ordained in
 " the petty republics of Greece, and the first
 " rudiments of the Roman state. But this will
 " be highly inconvenient when the public terri-
 " tory is extended to any considerable degree,
 " and the number of citizens is increased. In
 " so large a state as ours, it is therefore very
 " wisely contrived, that the people should do that
 " by their representatives, which it is impracti-
 " cable to perform in person." These words, he says, are a sufficient refutation of the notion of the virtual representation of the Americans in parliament. Now I appeal to every candid reader, whe-

ther they do not urge the necessity of virtual representation ; for if the inhabitants of five hundred towns cannot all meet in one assembly, much less can the inhabitants of a thousand towns, three thousand miles asunder, all meet together to deliberate on state affairs. But as they all form but one state, they can have but one *political will*.

He next produces seventeen propositions of his own against virtual representation, all branching out from a blundering sophism, which is the following absurd proposition. “ If representation “ was intended by the constitution of England, a “ complete representation was intended ; for the “ reason of having any, requires having a com- “ plete one, as being the best.” Now there needs not the head of a philosopher to conceive, that though representation of the people exists in the constitution of Great Britain, a complete representation could never be intended, for the reason of the absolute impossibility in the nature of things, of ever obtaining it ; and the British constitution could never intend impossibilities. He may now do with the other sixteen propositions what he pleases. Of the twenty reasons for the non-appearance of a witness the first superseded all the rest, namely *that he was dead*.

Our Essayist, not distinguishing *forms* from *essentials*, next attacks a mere form ; but instead of reasoning upon it, he falls into a vague, school-boy declamation, and darts a fool’s bolt at both houses of parliament, which is truly the *imbelle telum sine ictu*.

ist. “ By the acts of parliament, he says, for
 “ raising a revenue in America, the commons use
 “ the words GIVE AND GRANT. Can men give
 “ and grant what they have not? Did any of those
 “ acts take a single penny out of the pocket of a
 “ single GIVER and GRANTER? No: so far from
 “ it, that if there is any truth in the proverb, that
 “ money saved is money got, these *dona ferentes*
 “ gentlemen put money into their pockets, by
 “ their loyal and dutiful generosity.” Again,
 “ An open avowal has been made in parliament,
 “ (by the protesting lords) that it is the indispen-
 “ sable duty of parliament to tax the Colonies in
 “ order to ease the gentry and people of Great
 “ Britain. Let not the Americans ever forget
 “ the lordly words,” &c. In the note below, the
 substance of which was published last year, in an-
 swer to a Letter of governor Pownal’s, I have de-
 monstrated, That parliamentary supplies are now
the necessary supplies of the state; and that the form
 of words in a money-bill is only a remain of the
 ancient form when parliamentary grants were not
 necessary supplies, but voluntary gratuities, the
 government having then a constitutional public
 revenue in the royal domains, which amounted
 to a fifth of the lands of the kingdom, and, ac-
 cording to Dr. Henry, sometimes to a third of
 those lands. In the present age our kings having
 in a manner no royal domains, are solely de-
 pendent, for all national supplies, upon the revenue
 annually raised by the supreme Legislature, and
 are accountable for the expenditure of that reve-
 nue, which gives the people, by their representa-

tives, a much greater share in government than they formerly had, and in some degree incorporates them with the sovereignty. But since this national revenue varies according to the necessity of the state, and no others but the supreme Legislature have a right to judge of that necessity, no others therefore have a right to intermeddle with that revenue*. Though it be now the established

* Governor Pownal has thought an explanatory letter necessary to shew, that he was not the author of the opinion quoted from him, *That supplies granted in parliament are the free and voluntary act of the giver; not obligations and services, which the giver cannot of right refuse*; but that it is "the sentiment of lord Coke, and of the English parliaments, express in their own words upon record †." I never meant to say that the Governor was the first author of those doctrines; but I quoted his book as one that was generally read, and one that I had lately perused. False philosophy and false law have had hundreds of commentators; but one true experiment, or one incontrovertible fact, deserves more to be regarded than folios of illustrations of false principles. The proposition that I have laid down, *that public supplies granted for the support of the state are always of duty*, I will venture to say, is founded upon something even stronger than an act of parliament, I mean, upon the very nature of things, and must be disproved by something else than a mere misconstruction of ancient forms, either by an individual, or by the united voice of many. To the authorities quoted by Governor Pownal, I will add another, I mean the very words of the royal assent to a money-bill, *the king thanks his faithful subjects*. By the words of the royal assent to such a bill, parliamentary supplies are certainly, as Lord Coke says, expressed to be upon free gift, but those words when applied to modern times, I affirm, are nothing but an *empty form*, though anciently they were expressive of the *direct truth*. Parliamentary aids, in ancient times, were all EXTRA SUPPLIES, or supplies over and above what the constitution had assigned for the support of government; and as they were at first probably given upon tonnage and poundage, and articles of merchandize which the nobles held in contempt; these last might scorn to inter-

† See the Right of the British Legislature vindicated; and the Public Advertiser for March 23, and 31, 1774.

usage of parliament, that all money-bills, or revenue acts, take their rise in the house of com-

fere in the grant, otherwise than by giving their consent, as they themselves were bound to give supplies of another nature, I mean personal and military service. When the rude nations that overturned the Roman empire, in the Western parts of Europe, assumed settled forms of government, plain sense dictated to them, that government *must* be supported; and as in those early periods much power remained with the sovereign, a fifth of all the lands was assigned for the support of that power, besides other services to which the subjects were liable. The kings dominions were then the chief resource for the defence of the state; but over and above that resource, there was, during the times of our Saxon ancestors, the *trinoda necessitas* upon all land-holders, clergymen not excepted. This *trinoda necessitas*, or the necessity of the repair of castles, the repair of bridges, and the military expedition, in the words of ancient charters, *nulli unquam relaxari potest*, Can be forgiven to no man. That is, when the pious Saxon kings made a grant of lands to a monastery, they declared in their charter, that though they conferred the lands upon that monastery, yet, *it was out of their power* to excuse the monks from contributing to the public supplies, according to the fundamental law of the state. Would the colonists have the grants of lands in America upon a different condition? After the Conquest, during the feudal times, the obligation upon the subject to contribute to the defence of the state was not at all diminished; for it has been the repeated decision of lawyers, That should the king grant a tenure in the express words, *absque aliquid inde reddendo*; yet the law would imply a military duty; and in the abbot of St. Bartholomew's case in the 14. of Henry VI. upon a grant made in the words *tenendum cy frankement come le roy est en son corone*, it was decreed that the patentee was not exempt from military service.

The piety and superstition of some kings, and the profusion of others, in time stripped the crown of almost all its domains, and consequently brought its absolute power within limitations, as the kings were obliged to become suitors to the people to supply their necessities, which were anciently not reckoned to be, and actually were not, the necessities of the state, but occasional deficiencies owing to extravagance and mismanagement. By degrees the king's domains became less, and the parliamentary supplies increased, till at length the former vanished into nothing, and the power of a negative,

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mons, the merest novice however knows, that these bills have not the least efficacy till they re-

which remained with the popular part of the latter, actually lifted it up to participate of the sovereignty; but altered nothing of the fundamental principle, *that the administrative power of every state has a right to be supported.*

The following historical facts, little attended to by our historians, will evidently prove the ancient nature of parliamentary grants, which, I say, were formerly mere benevolencies of parliament to our kings, who often squandered them most idly, without the least public object being served, or rendering the least account. As those subsidies were given by fits and starts, with intermission of many years, the people always looked upon them as *public plunder*. They were the occasions of perpetual discontents; and the true spring of the instability of the succession of our kings, the truth of which may be easily conceived, if we imagine all our present excises and customs abolished for five or six years, then imposed for one or two years, and again suppressed for an intermediate number of years. This, though overlooked entirely by our politicians and historians, is the true key of the many commotions and revolutions in the English history. Even so late as Edward IV. chancellor Fortescue gives the following political reason why the king should at least be as rich as *any two of his nobles*; lest the people should be tempted to assist a rich nobleman to dethrone the sovereign, in expectation that the usurper's large private fortune, added to the royal domains, would be fully sufficient for the national revenue, without any subsidies from them.—But I shall proceed to the historical facts.

In the sixth year of Edward III. the commons grant to the king one tenth and one fifteenth, *so as the king will live of his own, without grieving of his subjects*. I should be glad to know what sense or meaning such a proposition should have, if made to any of our kings since the Revolution. In the twentieth year of the same king, the commons petition the king, *That the keeping of the sea may from henceforth be at the king's charge*, which plainly implies a very considerable revenue that the king could then call his own, independent of parliament. Towards the end of his reign, the same king tells his parliament, *That to all the armaments albeit the subject to their pains contributed; yet was the same far more infinite charge to the prince*; which is saying that parliamentary subsidies made but a small part of the national supplies. In the fiftieth year of the same king the commons declare, *That if the king's revenues had been*
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ceive the sanction of all the three branches of the Legislature, and then they become acts of the

rightly managed, he might long maintain his wars without any charge to the Commons; and yet no English king had been involved in longer or more expensive wars. In the first year of Richard II. the Commons wish, That the king might have all such lands as his grand-father purchased, to the ease of the Commons. Next year they declare, That if the king's expences were well looked to, he should need little to charge the Commons. In the fourth parliament Richard, in excuse for himself, says, That there was no prince in christendom capable of defending the sea without aid from his subjects, which implies, that though the king could do a great deal, he could not do all; but Richard II was noted for his bad management and dissipation. Some years afterwards the commons request the king, To live within his revenues, and that all gifts may be employed upon the wars.

These domains of the crown, the ancient constitutional fund for national defence, though often squandered, were often resumed; and Edward IV. after having made a general resumption of all lands belonging to the crown, tells the commons, in the seventh year of his reign, *That he means to live upon his own without charging them.* His extravagance and lavish dissipation, however, obliged him afterwards to have recourse to parliamentary bounty; nevertheless it plainly appears, that several years of his reign passed without any aids from parliament. We shall not be surpris'd at this when we consider the largeness of his revenue in consequence of the resumption of the domains of the crown, the amount of which we have from the most authentic and most respectable authority. Chancellor Fortescue, in his Treatise on Absolute and Limited Monarchy, written during the reign of Edward IV. and concluding with a prayer for him for not vexing his people with subsidies, tells us, *The king our soveryng lord had by tymes fithen he reigned upon us, livelood in lordshipps lands, tenements, and rents, nerehand to the value of the fift part of his realm, above the possessions of the chirche.* Such being the fact, then, I say, that Edward IV. had not the least occasion for parliamentary supplies; and that the expences of government in his days were greater or more burdensome than they are in the present period. For, exclusive of the national debt, which is not to be considered as a perpetual burden, the annual expences of government do not at present much exceed the value of the fifth part of the lordships, lands, tenements, and rents of the realm. I leave this very singular fact, unnoticed by all our historians, to the further discussion of my readers.

same nature with all other acts, demanding obedience *from all the subjects at their peril.* I say,

We see from the instances above-mentioned, extracted from Cotton's Abridgment of the Records, that our kings had formerly an independent national revenue, which the commons have often declared sufficient, with good management, for all the purposes of national defence; and that parliamentary subsidies were only good-natured gratuities to supply the wants, not of the nation, but of the prince. But is the actual constitution of the British state the same fabric with the constitution three hundred years ago? Now, since the executive power has no royal domain, and is, by the happy settlement of the Revolution, obliged to be accountable for national supplies, it is no longer the parliament that grants to the Crown, but the nation that gives to ITSELF; and who should be the judge how much it ought to give, but the great national council? Parliamentary supplies are now, (most happily for the nation) *the necessary supplies of the state*; since it legally can have no other; who then ought to be the judge of that *necessity* but the parliament?

The luminous facts above mentioned bring the principles of the British constitution, long obscured by illogical arguments, into broad day; and dispel at once the delusive doctrine of the factious, *That the individuals of a state may possess all the property of a state, and the government possess no property at all, but what those individuals chuse to give it,* which is the direct consequence of the false propositions of Mr. Locke, of the assumed dictums of lord Coke, of lord C. and of lord C. &c. down to the Philadelphian Resolvers. Lump together the opinions of all these politicians and they vanish before the evidence of facts, like a morning fog before the strong beams of the sun. Government, at this day, has just as good a *right* to national supplies as it had a thousand years ago, with this only difference, that the *royal domain* is now become a *legislative domain*. The *trineda necessitas* of our ancestors, the Saxons, is now the *trineda necessitas* of the assent of the three branches of the supreme legislature.

The ancient form of the king's confirming the parliamentary grants, *with thanks to the people*, still remaining, can alter nothing as to essentials. It is in fact but a courtesy which we find practised by Edward I. when peremptorily summoning his subjects to the performance of their duty. That prince in the twenty-fourth year of his reign, when meditating an expedition against Scotland, called upon his great vassals to attend
from

from all the subjects; for when the parliament raises a revenue in America, it does not step out of the *direct dominions* of the state for that revenue. The question then, *Can men give and grant what they have not*, is in this case absolute nonsense;

him at Newcastle upon Tyne, with horses and arms. He charges them *upon their duty* to appear, and afterwards adds, *that he might have an opportunity of thanking them*. The words are, vobis "mandamus, rogantes in fide & dilectione, quibus nobis tenemini; — ita quod vobis inde grates referre merito teneamur." See Dugdale's Summons to Parliament.

Let us suppose the British state reverted to its ancient constitution, previous to the times of parliamentary grants; and that a fifth part of all the lands in the British dominions were assigned for the support of government, how much in that case ought to be paid by the American subjects, who have hitherto been paying almost nothing? The fund of the land-tax in Great Britain may be reckoned twenty-five millions, and of Ireland two millions and a half, though by some it has been computed at three millions. As the British subjects in America are reckoned more than equal in number to those of Ireland, and their lands in general yield them richer products, the value of their lands, in cultivation, may therefore be ranked upon the same scale with that of Ireland, and the several quotas of each will be as follows.

The land-fund for Gr. Brit.	25,000,000 £.	a fifth is	5,000,000 £.
Ditto in Ireland,	2,500,000,	ditto is	500,000
Ditto in America,	2,500,000,	ditto is	500,000

Total of the public revenue, 6,000,000

Thus supposing the annual amount of the taxes to be but six millions, though it actually be near double that sum, the proportionable share of the colonists ought to be half a million sterling, to possess the remainder of their property free from all public burdens. But would this blessed exemption from taxation, otherwise than as by free gifts, in which they have absurdly placed the essence of a free man, actually secure their freedom? Would not the power of a monarch, with a perpetual independent revenue of six millions a year, unaccountable to parliament, according to the old constitution, soon become more oppressive to the subjects than the present regulated sovereignty of Great Britain.

for the men who compose the supreme Legislature of the British state are men vested with authority over all the direct dominions of that state for the government thereof; and as revenue is necessary for the support of government, natural equity dictates, that this revenue should be drawn from all the dominions. It is, therefore, (as the lords of parliament have declared) *The indispensable duty of parliament to tax the subjects in America, who have been contributing but little to the public supplies, in order to ease the subjects in Great Britain, who are loaded with a disproportionate share.* Who can doubt but this is the very intention of raising a revenue in America, and while the Americans sit, not under their own fig-tree, but under ours, justice needs not blush in asking a part of their labour for the purpose of general defence.

The Essayist next tells us, that if Great Britain can pay any part of the national debt by taxing America, she may pay the whole by taxing America, which is a sophism exactly of the same kind with the celebrated sophism of Mr. Locke, refuted in the pamphlet above referred to. Before we proceed in the Essay ten lines further we meet with another falsehood, "That all British subjects, but Americans, may do what they please with their own." Now it is an established maxim *That no person, in civil society, can be absolute master of the whole of his property*, as no individual has a right to refuse a tax imposed by the Legislature, though his consent to it has
not

not been given, or so much as asked. Towards the conclusion of this long note, we are informed, " That a statute intended to have force on the people of Great Britain, is the case of a STATE acting upon ITSELF. A statute intended to have force on the people of America is the case of ONE STATE acting upon ANOTHER." Indeed! The Essayist, however, cannot have the honour of this discovery: it properly belongs to the politicians of Boston. Whoever should affirm that the properties of a triangle are the same with the properties of a circle, might be safely concluded to be no deep mathematician. In like manner whoever confounds the properties of a *colony* with those of a *state*, has no just pretensions to the character of a deep politician, whatever he may have to that of a deep knave. No community, however numerous, can be called a *state* that does not possess lands in its own right; and that has not a free independent political will within itself. The inhabitants of Ireland, before they were united to Great Britain, and the Five associated Indian nations, near New York, may rank under that definition; but it is no way applicable to the British colonies in America, who possess their lands only as holding them of the crown of Great Britain; nay, more, have no form of government but what they hold in the same manner.

When the factious colonists find that the constitution gives to the parliament of Great Britain the right of taxing every British subject, and that they cannot get rid of the bonds of legal authority without

without throwing off at the same time the shackles of reason, they wildly renounce both ; and cry out that it is contrary to the ideas they have conceived of natural equality for some to be the *Rulers* and others the *Ruled*, though they cannot point out a community upon the globe, where such an idea is realized ; and the examples to the contrary abound in every civilized society. The idea of the perfect equality among mankind as to rank and privileges can only be realized in those countries, where all the trees are of the same size, and all the mountains of the same height. Society has not made a greater inequality in the wealth and possessions of individuals, than nature itself has made in their talents and abilities ; and this natural inequality has originally been, and ever will be, the cause of the other. The great Author of nature, by diversifying his gifts to men, has placed millions of inhabitants, in Great Britain, in a dependent state ; and is it at all unnatural, or new in the world, that one country should depend upon another ?

The high pretensions of the colonists have been owing to their mistaking their own situation ; and to their building arguments and reasoning upon an absurd sophism, which has led them to place the essence of freedom in a privilege which the British constitution does not give to any one subject, I mean, *the not contributing to the support of the state, unless he gives his consent*. The first colonists that peopled the British territories in America, knew that they were going to a country de-

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pendent

pendent upon Great Britain, nay, it was the very inducement to their going thither; and the Germans who are every year transported thither from Rotterdam, know perfectly well that they are going to inhabit countries dependent upon Great Britain; and if left to their own judgments, could not be many months inhabitants of those colonies, without being fully convinced, that though the one country may depend upon the other, yet individuals no more depend upon individuals, from country to country, than if they lived in the same country. But this the factious are ever studious to confound, knowing that they must be held in detestation, the moment that light breaks in upon the deluded people.

Having dispatched this long note, I shall return to the text of the Essayist, which if it will not instruct, may at least divert us. In page 49, he tells us, "We are become criminal in the sight of many persons by refusing to be guilty of the highest crime against ourselves and our posterity. *NOLUMUS LEGES ANGLIÆ MUTARI.* This is the rebellion with which we are stigmatized." Here the author at length condescends to favour us with a plain and manifest truth; for the spirit of rebellion, with which the factious leaders in the colonies are stigmatized, cannot with more precision be expressed than by the *NOLUMUS LEGES ANGLIÆ MUTARI*, which this very inconsistent writer tells us, is the leading principle of the disobedient colonists. By these words they have, out of their own mouths, declared themselves rebels, and
aimed

aimed a weapon at the heart of the constitution of their country. For if a few factious men in one corner of the British empire have a right to be the judges of the obedience they owe to government, there is not a colony or county where other factious men may not claim the same right; so that instead of three negatives in our constitution, we might have three hundred, that is to say, no government at all. This *nolumus leges Angliæ mutari*, which, when too strictly adhered to, includes the very essence of gothicism and barbarity, was formerly used by the Barons of England to put a negative upon a measure they did not approve of; and may still, agreeably to our constitution, be used at any time with effect, by the majority of the Barons of Great Britain in parliament assembled. But it is a new discovery, reserved for the present times, that the operation of the law should be stopped by those, whose duty it is, next to their duty to God, to obey the law. About an hundred years ago, the streets of London were left quite dark at night. They are now lighted by act of parliament. Should a knot of rioters imitate the example of the factious colonists, and break all the lamps from street to street, upon the authority of the *nolumus leges Angliæ mutari*, I suspect that, if the constables could not soon quiet them, the military would. Within these forty years several of the clowns in England justified the pulling down the turnpike gates, by the *nolumus leges Angliæ mutari*, but their vociferation was soon quieted by some musquet balls. In Henry VII's time, several thousand Cornishmen adopted the prin-

principle of *nolumus leges Angliæ mutari* ; and rather than pay taxes for defending Northumberland, took arms and marched to Blackheath, within six miles of London, where their fellow-subjects very uncivilly clapt muskets to their breasts, and left two thousand of them dead upon the spot. Such, however, has been the moderation of the present government, that this *Nolumus leges Angliæ mutari*, thus emblazoned upon the standard of the factious, has not yet prevailed upon our rulers to clap muskets to the breasts of the disobedient, as this Essayist has most falsely affirmed ; but how long the moderation may continue I cannot tell ; therefore I would advise the colonists without delay to change their *Nolumus* into *Volumus*, for the safety of their lives, as well as of their consciences.

The words of the author in the following page imply, that the people of Great Britain seem to think, “ that there was no medium between the “ extremes of anarchy and despotism, where innocence and freedom could find repose and “ safety.” Now the people of Great Britain have repeatedly declared, that the true and just medium may be found, in a dutiful submission to legal government ; that *There* is the only medium of repose and safety ; that such a submission, so far from implying a renunciation of liberty, is the only security for liberty, as the professed object of the British government is to distribute liberty proportionably to all the subjects, and to defend them in the enjoyment of that liberty. Where

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that

that legal government resides, has been already demonstrated in these Remarks.

I am here stopped by a very deep and learned note, which the author has very wisely left enveloped in an unknown tongue, lest common readers might perceive, that it had no reference at all to his subject. But to shew what a clear-headed advocate the seditious have in this Farmer, I will explain it to my readers. It is the case of the *Priverdates*, as mentioned by Livy, a small independent nation, who being subdued by the Romans, found it extremely grievous to have their lands taken from them, and new laws, and a new language imposed upon them, by a people seemingly of no greater consideration than themselves: They therefore revolted several times, but unsuccessfully; yet, as they declared they intended to recover, if possible, the right as an independent people, of making laws for themselves, the Romans generously granted them a general naturalization, or the right of citizenship. Every common reader may now judge, how far remote this case is from being a parallel to that of colonists, who, instead of having lands taken from them, have lands given them; who are governed by laws their ancestors chose; who use the language of their forefathers; and who, with their first breath, on account of their occupying a part of the dominions of the parent state, inherit all the rights of citizenship, which are as much theirs as the blood in their veins.

In

In the following page the author exclaims,
 “ What unknown offences have we colonists com-
 “ mitted against Great Britain, within these ten
 “ years, to provoke such an unexampled change
 “ in her conduct towards us?—Is it criminal in
 “ us, that our numbers, by the favour of Divine
 “ Providence, have greatly increased? That the
 “ poor chuse to fly from their native country in
 “ in Europe, to this continent?” If the first part
 of this exclamation has any meaning, it must bear
 a sense of much the same import with that of the
 factious Roman Tribunes, who insisted that the
 troops of the republic should be allowed no pay,
because, they had served three hundred years with-
 out any, *Negabant danda esse æra militibus, quia*
nunquam data fuissent. If the colonies, in their
 infant state, required the nursing care of govern-
 ment, is that a reason why government should not
 demand some returns from them, when they are
 arrived at maturity. The change of government
 is so far from being unexampled or unreasonable,
 that it is a natural consequence of the change of
 circumstances, and plainly intends to put *peace and*
harmony, between the mother-country and her co-
 lonies, *upon a lasting foundation*, by making them
confer mutual benefits upon each other.

“ Is it criminal in us, our author asks, that
 “ our numbers, by the favour of Divine Provi-
 “ dence, have greatly increased?” No. I neither
 look upon it as a crime, nor as a merit in the co-
 lonists, that their numbers are greatly increased;
 but I look upon it rather as criminal in the author

to have suppressed an essential truth, in regard to that multiplication of inhabitants. The flourishing condition of the British state is most undoubtedly owing to the favour of Divine Providence; but what opinion should we have of the piety of those children, who profess great gratitude to their Heavenly Father, in order to cloke their disobedience and undutifulness to their earthly parent. Would the plains of British America have been any temptation to the poor of Europe, had not Great Britain established liberty there, and opened that part of the world for the helpless and distressed. The French, the Spanish, and Portuguese American colonies, certainly contain vacant room enough for all the poor who have emigrated from Europe, and now enjoy an asylum in British America. It is plainly then, not so much the easy-acquired possession of land, as the freedom enjoyed under a British government, that has been the inducement to the poor and distressed in Europe, to settle in the British dominions in America. And is it not equally shocking to justice, and to humanity, to find those once helpless and distressed, when rendered opulent and happy by the favour of Great Britain, claiming an exclusive property in all they possess, which the fundamental laws of society denies to every subject?

The author employs the six following pages in the most unmeaning declamation, with notes upon notes, filled with virulent invectives, which discover his heart to be replete with malice; and place him more in the light of a raving bedlamite,

ite, than a reasoning politician. I am heartily sorry that this charge can be so easily justified; but I must beg the patience of my readers, while I place before them the following extracts, which will serve as specimens of the rancorous, abusive spirit, that bursts from the Essayist, in this part of his Essay, and indeed predominates almost through every part of it. "To excite commo-
 "tions, he says, and then to scourge for being
 "excited, is an addition to the wildness of a
 "Xerxes, reserved more particularly to distinguish
 "the present age." So much for the age we live
 in. Next for parliaments and ministers. "Let
 "every session of parliament produce a fresh in-
 "jury. Give no rest, nor hope of rest. Let
 "insult, added to insult, fill up the vacancies be-
 "tween the sessions, &c.—Thus the colonies have
 "been treated." Next for the people of Great
 Britain: "We know how acceptable to many
 "an earthquake would be, to sink some of the
 "colonies in the ocean; and how much it would
 "be judged by some for the interest of Great
 "Britain, if a pestilence should sweep off a mil-
 "lion and a half of us." From this Essay I could
 extract many pages of such stuff as this, but my
 regard for my readers makes me forbear. It is
 the false reasoning of the author that I chiefly
 wish to confute, and in this he himself some-
 times comes in to my aid. In the heat of his
 phrenzy he approves, in the note of page 56, of
 what he had condemned in the text. Beccarias'
 fancy of dividing a large state into many conse-
 derate republics, is treated by him in the note as a

rational idea, though in the text he terms it *a contemptible madness*.

Who would expect, that after a course of malevolent paragraphs, our author should finish with a prayer to the Supreme Being? But here it is. "May GOD Almighty, who delights in the titles of *just* and *merciful*, incline the hearts of all parties to that equitable and benevolent temper, which is necessary, solidly to establish peace and harmony, in the place of confusion and dissension." One would naturally conclude, that the person who made this prayer, would, in such a weighty and important argument as he has undertaken to handle, have conscientiously distinguished himself by an *equitable* and *benevolent temper*; yet, in truth, if intentions are discoverable by words, there are very few pages of this Essay, which do not display a malevolent spirit, by a distortion of facts, and an insidious application to the passions, rather than to the understandings of the readers. What should we think of the knavery and hypocrisy of that person, who should throw his ink-bottle into the eyes of his friend, and then pray, with an affected fervour, *that he might see clearly*; or of him who should serve up some soup mixed with arsenic, to the politicians at a town-meeting, and begin the entertainment with a *long grace*? If it be commendable to drag a pickpocket before a justice, I think it is infinitely more meritorious to drag a hypocrite to the bar of reason and truth, that is, to the tribunal of the public.

The

The author having finished what may be regarded as the introductory part of his Essay, enters upon the main argument with a seeming air of method and precision, which, however, before he has proceeded twenty lines, degenerates into inflammatory applications of passages from different authors, carried on through fourteen pages of notes. Five of those pages of notes contain extracts from *Political Essays*, published a few years ago, by some author in this island, which our Essayist produces, to shew *in what light colonies are viewed by the mother-country*; though in truth they only shew, that there are many wrong-headed incendiary writers in Great Britain, as well as in America; and that dutiful subjects ought to hold both in detestation, and cannot be too much on their guard against their delusions. The remaining part of this note, which extends through eight pages, contains a most virulent and misapplied parallel of the arbitrary conduct of Spain towards the Netherlanders, who were not her subjects, with the forbearing conduct of Great Britain towards her subjects in America. Here the Essayist, I doubt not, will appear to my readers not yet to have acquired that *equitable and benevolent temper, so necessary for establishing peace and harmony*; but to seize with a zealous enthusiasm every absurd topic that has a *tendency to produce confusion and dissension*, directly contrary to the spirit of his own prayer. It is with regret that I turn aside to his abusive notes; but the perversion of facts, and the false reasoning they contain, are often of so ensnaring a nature, and have such a

seditious

seditious tendency, as render it necessary to expose the sophistry, or the malignity with which they are interspersed.

“ The legislative authority, he says, claimed
 “ by parliament over these colonies, consists of
 “ two heads ; first, a general power of internal
 “ legislation, and secondly, a power of regulating
 “ our trade. Both, she contends, are unlimited.
 “ Under the first may be included, among other
 “ powers, those of forbidding us to worship our
 “ Creator in the manner we think most accept-
 “ able to him, &c.” I have placed the *et cætera*
 here, though the Essayist first enumerates sixteen
 or seventeen other grievances of the colonies, flow-
 ing from acts of parliament, which I have nothing
 at all to do with, as I am as ready as any colonist
 can be, to acknowledge that grievances may flow
 from acts of parliament ; though I will ever main-
 tain, that a redress of a grievance flowing from a
 legislative act, ought to be sought for, in the first
 instance, by humble supplication and petition ; and
 even when not obtained, will not justify resistance
 in a part of the subjects, when a great majority
 of the subjects acquiesce in it, as contributory to,
 or promotive of the general welfare of the state.
 That a factious orator, noted for inconsistencies,
 should say, he rejoiced that an aggrieved part of
 the subjects had begun with resistance to the
 legislative power, is, in other words, declar-
 ing himself, *de sang froid*, an accessory to as-
 sassins ; and if murderers, among the Jews, were
 torn even from the horns of the altar, no place,
 nor

nor no rank, ought to screen the murderers of the constitution from the punishment due to their delinquency.

Though the author divides the legislative authority claimed, as he says, by parliament over the colonies into two heads ; that is only a distinction of his own ; for neither the parliament nor the constitution make any such distinction. The authority of parliament is one Source or Fountain of power, extending its beneficent influences in a thousand rivulets over the whole British empire ; and while European and American Britons can boast of that living spring, their possessions, like a well watered garden in a fertile soil and fair climate, may continue to flourish while the world lasts. As to the power of parliament being unlimited, that has been already explained ; and it means no more than, *that the authority of parliament is the same in the colonies as within Great Britain*. I have extracted the first of the grievances of the author, as a specimen of the candour with which he writes ; for the complaint of the parliament's forbidding the colonists to worship their Creator in the manner they think most acceptable to him, is founded—on the Canada Bill, proposed for the very purpose of allowing liberty of conscience to all.

As his division of the authority of parliament is unessential to the argument, I have no objection to consider it, as he has stated it ; and the following is his assumed position in regard to the first head.

F

“ In

“ In our provincial legislatures, he says, the best
 “ judges in all cases what suits us, founded on
 “ the immutable and unalienable rights of hu-
 “ man nature, the principles of the constitution,
 “ and charters and grants made by the crown, at
 “ periods when the power of making them was
 “ universally acknowledged by the parent state, a
 “ power since frequently recognized by her, sub-
 “ ject to the control of the crown, as by law
 “ established, is vested the *exclusive right of inter-
 “ nal legislation*.

“ Such a right, vested in parliament, would
 “ place us exactly in the same situation the peo-
 “ ple of Great Britain would have been reduced
 “ to, had James I. and his family succeeded in
 “ their scheme of arbitrary power. Changing the
 “ word *Stuart* for *parliaments*, and *Britons* for
 “ *Americans*, the arguments of the illustrious pa-
 “ triots of those times, to whose virtues their des-
 “ cendants owe every blessing they now enjoy,
 “ apply with inexpressible force, and appositeness,
 “ in maintenance of our cause, and in refutation
 “ of the pretensions set up by their too forgetful
 “ posterity, over their unhappy colonists.”

On this crazy bottom have the factious em-
 barked all their pretensions to independency, or to
 an *exclusive right* to manage and conduct them-
 selves. Who ever doubts, that in respect to each
 other, every particular colony has an exclusive
 right to direct itself, as much as every man within
 his own house and garden may direct absolutely,
 and

and make what alterations he pleases. He may place the chimney where formerly stood the staircase; he may turn a gravel-walk into a fish-pond; may make an alley, that went up the middle of his garden, take its course by the side of the wall, or, in serpentine windings, traverse every corner of his grounds. But this absolute sovereign within doors, if he lives in society, will find a controlling power from without. If he builds a bow-window into the street, or fires loaded pistols out at his windows, he will soon be taught by the general governing power of the society, that he acts against law, and beyond his authority. *Though the immutable and unalienable rights of human nature, the principles of the constitution, &c. &c.* allow him to shut his door against a house-breaker, yet, by the law of society, he must give a very different reception to the collectors of the land-tax.

The constitutions of the colonies are certainly all framed in such a manner, that each colony in its acts of government, is absolutely independent of all the rest; and therefore, I think, it may become a serious question, whether all those who acknowledge an act of usurped unconstitutional authority, formed without the limits of their own colony, (that is not an act of the sovereign legislature) to be binding upon them, do not, *ipso facto*, forfeit all their charter rights. But I leave that point to the discussion of lawyers: only I would ask this very consistent Essayist, who now and then helps me to refute himself, whether, if the right of internal legislation in all the colonies is vested,

exclusively, in the provincial legislature of each, in that case, a *soi-disant congress* could have any right to exercise a directing authority over those colonies. He will say, perhaps, that the members of the congress only recommend. But how do they recommend? As the civil highwayman, who presenting a musquet into a coach, *advised* the passengers to purchase it; and when he had received all their money, very politely left with them his *empty piece*, pluming himself, that he had not committed a robbery, but only *sold a bargain*. As this highwayman *advised to purchase*, exactly in the same manner the congress *advises not to purchase*, that is, by putting those, who would not otherwise comply, in fear of their lives, by hunting the mob against them.

The Essayist tells us, "That their provincial assemblies are the best judges, *in all cases*, what suits them." Agreed. But I wonder the author was not afraid of striking a dreadful alarm into the heart of all his fellow-colonists, in telling them, that their legislatures were the best judges *in all cases whatsoever*: for a few pages afterwards, he says, it could not appear *tolerable* to Mr. Hooker to lodge in the governors of *any society* an UNLIMITED AUTHORITY. For the comfort of the colonists, however, I will tell them that this UNLIMITED AUTHORITY, either among themselves or in Great Britain, has no *right* to do them any *wrong*.

Because the provincial assemblies are the best judges *in all cases*, what suits their respective colonies, it does not follow from thence, that they
are

are the proper judges of what suits the welfare of the whole state. What blessed consequences would follow, were the colonies to be exclusively the best judges in their own concerns, may be judged of from the following supposition. Let us suppose three contiguous continental colonies to regulate the imports upon wine in the following manner; that the most northern colony should lay a duty of twenty pounds a hoghead; the most southern colony a duty of thirty pounds a hoghead; and the colony, in the middle, a duty of five pounds upon the hoghead. This colony in the middle would, by her internal regulation, very soon rob the other two colonies of their trade in wine, as she would draw the importation to herself by her low duties; and the colonies to her right and left, would be supplied from her by smuggling over land, which they could only prevent by having numbers of revenue officers on their frontiers, an expence to be added to their other loss. On the other hand, supposing those duties appointed over all, by the sovereign legislature, it may be presumed, that a just proportion would be measured to all. When the colonies, therefore, claim the exclusive right of internal management to be in their provincial assemblies, that internal management must be wholly confined to the private concerns of that colony, interfering in no respect with their neighbours: but should they claim the internal management exclusively of all other powers, it would be the same thing as claiming to be independent republics, which the author has before termed a CONTEMPTIBLE MADNESS.

Should

Should any colony, I say, assume to itself the right of internal management, or internal legislation, exclusively of the parent state, it assumes what it has not the least right to, as not being an independent state, but a colony. Whoever inhabits a colony, does not live in an independent country, is a proposition as self-evident as, who-ever inhabits Holland does not live in France; yet the reverse of that proposition the factious have made the corner-stone of all their sedition; and think that they have done the whole of their duty, and are good subjects, when they give the preference to their own partial interests, and mind only what *suits themselves*. But it is not what *solely suits themselves* that the colonists are only to care for; they are also to care for what suits the welfare of the whole empire of which they form a part; but of this their legislatures can be no judges: however, they may be the *best judges of what suits themselves*. The best judges of what suits the welfare of the whole British empire, are the supreme legislators of that empire, composed of the king, lords, and commons; the two first assembling personally, and the last representatively; and all forming the parliament of Great Britain. Would Ireland, or would any of the West India islands, or any of the southern continental colonies wish to have it called *the parliament of Pennsylvania*, or *the parliament of Massachusetts Bay*? As the parliament of Great Britain is the constitutional judge of what suits the welfare of the British empire; and that welfare cannot be obtained without taxes, the *immutable and unalienable rights of human nature*,
and

and the principles of the constitution, therefore, give authority to that parliament to demand taxes from all the subjects. Public taxes, as has been before observed, in no period of our history were free-gifts *. Parliamentary grants, indeed, for many centuries were mere voluntary gratuities ; but now they are the *necessary supplies of the state*, the nation having no other. They are the same as the *trinoda necessitas* of our ancestors the Saxons, *quæ nulli unquam relaxari potest*, a threefold necessity that can be forgiven to no man. As to the privilege of exclusive legislation in the colonies, founded on charters and grants of the crown, my readers, I hope, will find that set in a true light in *The Right of the British Legislature Vindicated*, to which I refer them.

I shall proceed to the consideration of the Essayist's second paragraph last quoted, in which he says, " That a right vested in parliament to tax
 " the colonies would place them exactly in the
 " same situation the people of Great Britain
 " would have been reduced to, had James I. and
 " his family succeeded in their scheme of arbitrary
 " power. Changing the word *Stuarts* for *par-*
 " *liaments*, and *Britons* for *Americans*, the argu-
 " ments of the illustrious patriots of those times
 " favour the pretensions of the colonists to ex-
 " clusive taxation." So then, there is no difference between a COUNCIL OF STATE, and a NATIONAL COUNCIL ; between fifty or sixty persons,

* I defy lord Camden to shew, in what period of our history, Public Taxes were Free Gifts. See the preceding note.

picked and chosen at the pleasure of the king, and two hundred and fifty independent peers, and five hundred and fifty-eight deputies, picked and chosen by the people; of which deputies, a dozen or two, may perhaps be colonists, and one hundred, perhaps more immediately connected with the colonies by commerce and other ties, than one half of the representatives are with their direct constituents in this island. The proposition is so exceedingly candid and modest, and is such a proof of the *equitable and benevolent temper* of the author, that it would be a pity to make any further remark upon it. As to the last sentence of the paragraph, it is so worthy of the school of Loyola, that I am almost inclined to think the Farmer has been helped to it by some ex-jesuit who has strolled to America. Sure I am no disciple of Loyola could insinuate his sophistry into the weak head of a devotee more artfully than the Farmer here attempts to palm a false argument upon his readers. Bressaw himself could not, by slight of hand, more dexterously shift a guinea for a counter, than the Essayist has shifted one term for another. But a trick is no trick when it is once detected. It is an allowed maxim that synonymous terms may be substituted for each other without altering the sense. Thus instead of saying the *Pennsylvanian Farmer* writes with much sophistry, I should say, the *wrong-headed politician* writes with much sophistry; the sense would nearly remain the same; or when meaning to send for my horse, instead of the word *horse*, I should substitute the word *gelding*, there would be no great hazard of a mistake. But should a sailor tell me that the rudder of a ship

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contributes greatly to its motion, and I should assure him that changing the word *rudder* for *window*, and *ship* for *house*, the conclusion would still remain the same; and that it was equally true, that the window of a house contributed greatly to its motion, he might justly conclude that I was out of my senses, or that I imagined he had lost his understanding.

Exactly thus my readers will probably judge of the Pensylvanian Farmer, when he tells them the reasoning about taxation is no wise altered by changing the words *Stuarts* for *Parliaments*, and *Britons* for *Americans*. They must think that he meant to insult their understandings in presuming he could make them believe, that the government of a despotic, and often of a weak and short-lived monarch, was the same thing with that of an immortal body of legislators, connected with the people by innumerable ties. Would any person, that meant to reason fairly and candidly, argue, that because acts of parliament have an absolute authority, it is the same thing for the people as if they issued solely from the breast of an absolute monarch. But the subjects are different, says the Essayist, who wants to substitute in the room of the word *Britons* the word *Americans*. Since he was in the humour of changing, why did he not change the word *colonists* for the word *free Indians*, which would have been a change of some consequence? But here he reverses his palmistry; and, instead of substituting a counter for a guinea, he gives us back the guinea, and wants to persuade us that it is a counter.

G

Who

Who pray are those *Americans* whom the Essayist wants to substitute for *Britons*? Why, they are really and truly *Britons*, living under the British laws, in the dominions of Great Britain beyond the Atlantic, and protected by Great Britain. *Americans* that are not *Britons*, Great Britain has no concern with, excepting only a few *free Indians*, who are in friendly alliance with her.

Great Britain says to her subjects, or to those who are willing to become her subjects, if you chuse to occupy the lands belonging to me in America, you shall have them on very easy terms, with all the rights of subjects remaining at home, compatible with your situation as colonists, and I shall still continue to protect you as zealously as if you had never left my bosom. I cannot, indeed, trouble myself with the interior detail of your governments; but I will give you authority to govern yourselves in all cases, excepting where the *MAJORA IMPERII* are concerned, among which the taxes, for general defence, are a chief point. These *Majora Imperii* are indefeasibly mine, and it is your interest that they are so. These are the terms which Great Britain has held out to her colonists, and continues to hold out to them; terms which have been gladly accepted of by millions, and terms of freedom exactly of the same extent with those enjoyed by the subjects of Great Britain; for the privilege of chusing members for the house of Commons is not essential to freedom, as there are millions of free subjects in Great Britain who have it not.

Our

Our Essayist having fired off his grand battery against the constitution, continues his attack through several pages following, by pitiful random shots, which may easily be shewn to be neither charged nor pointed. He tells us, from bishop Hoadley, " That misery is the same, whether it comes from the hands of MANY or of ONE." Few people, I believe, doubt that ; nay, I will allow him that the misery flowing from many may be more oppressive than from one. But I affirm, *That misery is not so likely to flow from MANY as from ONE; and therefore freedom has greater security under the rule of MANY than of ONE.* Yet as the number *one* may be too few, there may also be a number, which is too many for the happiness of the governed ; and certainly were every colony, in respect to the MAJORA IMPERII, to possess the privilege of self-government, not only independent of its neighbours, but of the parent state, so MANY would then be concerned in the supreme government, that misery could not fail of ensuing upon British subjects in every part of the empire. What then ought to be done by those who wish the prosperity of Britons in Europe and America, but to adhere to the constitution, establishing the supreme rule in the parliament of Great Britain.

As to his remark, that virtual representation is too ridiculous to be regarded, I shall only observe, that he might just as well have said, That the foundations of a bridge are too ridiculous to be regarded. "*The necessity of a supreme sovereign legislature* internally superintending the whole

“ empire is a notion, he says, equally unjust and dangerous.” He should have added *to us factious colonists* ; for to all the world beside, it will appear to be a notion *both just and profitable*. I think I may challenge the Essayist to name a civilized society, on the face of the globe, where it is not an established fundamental principle. The author adds the word *internally* as a puzzle-case ; but the constitutional claim of parliament, and indeed of all supreme legislatures, is, and must be, to govern *in all cases whatsoever*, though our government, out of regard to the better well-being of the subject, and considering that a physical necessity renders it impossible for her to superintend all the detail of internal administration in her colonies, gives them express authority to govern themselves, *in all cases whatsoever*, excepting in the *Majora Imperii*, by which means they stand the freest subordinate people on the face of the globe, and therefore ought to be the most contented of all subordinate people.

The Essayist, who seems always happiest when he is weaving a web of sophistry, employs the nine or ten pages following, of text and notes, to shew against the ingenious author of the *Review of the Controversy between Great Britain and her Colonies*, that the colonies being dependent on the king of England does not imply their being dependent on parliament. Mark now how plain a tale will put him down. I affirm, that when James II. run away, or was driven away, if the prince of Orange and his princess had refused to accept of the crown
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of Great Britain; and the two estates, instead of inviting any other person to wear that crown, had resolved to govern by themselves, the British colonies would nevertheless still have remained dependent on the legislature of Great Britain.

From false reasoning the Essayist, in page 94, proceeds to a false fact. "A dependence on the crown and parliament of Great Britain, he says, is a novelty—a dreadful novelty." Where shall we go to look for a refutation of this assertion? The author very civilly furnishes it himself, twelve pages afterwards, where he says, "The first precedent of parliamentary authority, produced against us, was an act passed by the commonwealth parliament in 1650." He would not, I hope, desire a precedent prior to the establishment of any colonies. I am as little inclined as any man to found any authority upon precedents in regard to the essential parts of an argument; but when precedents are appealed to, not as reasons for any practice or usage, but as testimonies of the existence of such a practice, or such a usage, they will doubtless have their weight with every candid enquirer. In this view I will mention a precedent five years prior to that above cited, not indeed of an act of authority on the part of the parliament, but of an act of submission on the part of a colony to parliament. In the year 1645, the colonists of New England, upon a domestic dispute, humbly petitioned the parliament for a redress of grievances, though the parliament instead of acting in conjunction with the king, was then

then in arms against him. What now must we think of the assurance and good faith of the Essayist, and of the factious band whom he misleads, when they tell us, *That a dependence on the crown and parliament of Great Britain is a novelty—a dreadful novelty* *.

Such a dependence has indeed, within these few years, been solemnly declared to be a fundamental principle of the constitution; but that declaration could not create the right, which we see was exercised above an hundred years ago, and is inherent in the constitution, independent of all declarations, as being interwoven with the very essence of government. The declaration itself only gave the most ample testimony that the framers of it were *apprentice politicians*, and totally unqualified for sitting as *masters in the lodge*; and the very respectable list of protesting lords, joined to the sense of the nation, is such a condemnation of their proceedings, as all the flowers of eloquence will never be able to remove. Those ministers might just as well have procured an act declaring that the supreme legislature had a right to make a public road through Kent from London to Do-

* In the year 1754, Benjamin Franklin, esq. proposed to the commissioners of eleven of the continental colonies, met in congress at Albany, by order of the crown, a plan, *which was unanimously agreed to by all of them*, for humbly applying for an act of parliament for making certain alterations in the constitutions of the colonies, and for empowering a new council of forty of them to raise taxes upon the colonies. Could the parliament of Great Britain empower others to levy taxes upon the colonies, without having that power itself? *Pro confesso habes rem.*

ver; and at the same time, to humour some Kentish landholders, who had adopted the wise maxim of the Essayist, *That Britons may do what they please with their own*, have carried the road through Suffex to BRIGHTHELMSTON. Would not such a proceeding have had a direct tendency to lessen that reverence for the laws upon which the tranquility and happiness of society so much depend?

The sophistry which has been used to prove the doctrine of the American declaratory act an *unconstitutional novelty*, has had one excellent effect. It has brought to light so many just reflections, both in Europe and in America, on the rights and duties of legislators, and on the rights and duties of subjects, that for the future our governors will be able, without difficulty, to hold the middle course, between the rocks on one side, and the shallows on the other; and the people seeing with their own eyes, will be able to judge for themselves, and will not so readily be misled by the false alarms of danger raised by the factious and interested. From the present rough blast, therefore, I think we may prognosticate ages of settled calm and tranquillity.

The Essayist labours the point of *precedents* through seven pages; but all his false reasoning on that article may be refuted in a few lines. I have already declared it to be my opinion, that in essential points no length of time can give any validity to a bad precedent. Nevertheless I affirm,

firm, that a good usage receives a kind of reverential authority from a multitude of precedents ; and when the precedents of any practice are repeated through a long period of time, they give a most undeniable evidence, that that practice is not a *novelty*.

He prefaces his reasoning about precedents with a few detached sentences, one of which, as it is somewhat ambiguous, ought to be a little explained. " Submission, he says, may sometimes " be a less evil than opposition, and therefore a " duty." He should have mentioned to whom submission may be a less evil than opposition. If he means only to a few colonists, or a few colonies, it is saying, in other words, that those aggrieved members of society ought to measure their *duty* by their *interest* ; which is exactly the same principle that led miss Blandy to poison her father, that she might succeed to his inheritance. What some of the continental colonies are most heavily accused of, is, that they want to measure their *duty* by their *interest*. But good legislators, as well as good subjects, measure their duty, not by consulting partial interests, but by consulting the general interests of the whole society. For once, however, I would advise the colonists to take the Essayist for their counsellor ; and, before they carry their undutifulness any further, to consider seriously, *that submission may sometimes be a less evil than opposition*.

In the following page the Essayist gives us another specimen of his sophistry, in an extract from Mr. Hooker. No sensible or good man, he says, ever suspected Mr. Hooker of being a weak or factious person, yet he plainly enough teacheth, "That a *society*, upon experience of *universal* " *evil*, have a right to alter the form of govern-
"ment." Is it good logic from thence to conclude, that a *part of society*, from experience of *partial evil*, have a right to do the same? What must my readers conclude of the head or of the heart of this Essayist?

We come now to the second branch of the Essayist's argument, in which he puzzles himself beyond measure to prove, that though the power of regulating trade is vested in parliament, that does not imply a supreme legislature in parliament. To this I reply, what suppose it should not; the right of supreme legislature in parliament has been shewn to be founded in something else; and so far from being founded on that, the supreme regulation of trade is only a branch of the exercise of the legislative power. The Essayist acts very consistently with himself, in mistaking a branch for the trunk. His narrative about the ancient power of our kings in regulating trade is altogether dark and perplexed, consisting of scraps that lead to no conclusion. I am inclined to think that our kings formerly possessed such a power, in the same manner as they possessed the fifth of the lands of the kingdom, and that it made part of their royal domains, as at this mo-
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ment *les douanes*, if I am not mistaken, are reckoned a branch of the *domaines* of the kings of France. Though such a power was formerly the source of a great revenue; yet I think the judge quoted by the Essayist in his last page, has seen the practice in as confused a light as himself. For no conclusion of *right of interest or gain* to our kings could be drawn, either from their domains, or from their power of regulating trade, *otherwise than as fiduciary*. Nay, it is my opinion, that the supreme Legislature at present has not a right to raise a penny upon the subject, *otherwise than as fiduciary*. How it raises it, whether by turnpike-gates, or by port duties, is a question of expediency, and not of right, and therefore has nothing to do with the present argument.

The author, not justly considering the case of Ireland, has most improperly brought it as a parallel to that of the American colonies, when, in fact, it has nothing at all to do with the present question. The native Irish, who consented to accept of the laws of England from Henry II. certainly did not receive their lands from that king. Though they acknowledged the *dominium regale* of their island to be in him and his heirs, yet the *dominium utile*, or property of soil, still remained with themselves, as it had been transmitted to them from independent ancestors, from times immemorial. This is a property in its nature quite different from the property of colonists, and consequently entitled to privileges quite different. The properties which the British colonists
now

now possess in America, are properties of which they acquired the *dominium utile*, in consequence of their being subjects of Great Britain, and remaining subject to her laws; therefore it is only infringing their own right to the lands they inherit, to refuse obedience to the laws of the parent state.

Though the Irish, who inhabit a territory of their own, are in a very different relation to Great Britain, from colonists, who live and exist upon the *direct dominions* of the state; yet a learned and judicious writer has formed the following queries in regard to them, which well deserve the serious consideration of some of the leaders of faction in Massachusetts Bay. *Quere*, “ Whether, from Glanvil, there is not treason “ against the kingdom as well as against the “ king;” and *Quere*, “ whether the English “ *modus tenendi parliamenta*, being transmitted to “ Ireland by Henry II. styling himself conqueror “ of Ireland, after that a parliament of Ireland, held “ in that form, should have voted themselves in- “ dependent of the parliament of England, would “ not every member have been liable to an im- “ peachment for treason against the king and “ kingdom of England. See *The history and reasons of the dependency of Ireland upon the imperial crown of the kingdom of England, rectifying Mr. Molineux’s state of the case of Ireland being bound by acts of parliament in England.* London, 1698.

I shall conclude my remarks on this Essay with two observations more, omitting the detail of many false propositions, which shew themselves to be false on the slightest inspection. In page 124, the author justly approves of the sentiment contained in the following quotation from Mr. justice Blackstone, “ with regard to foreign concerns, the king is the delegate or representative “ of the people ; and in him, as in a center, all “ the rays of his people are united.” Here we have the king, without any election, the *virtual representative* of both peers and commoners ; and yet our very inconsistent Essayist will not allow *virtual representatives* among the commons, even when they are chosen on purpose to represent. In the following page, which is the last but one, he says, “ It is universally acknowledged in Great “ Britain, that it infers no power of taxation in “ king and lords, that their limited authority is “ used in cloathing gifts and grants of the commons with the forms of law.” So far from such a proposition being universally acknowledged in Great Britain, it is universally reprobated by every person acquainted with the constitution. It is the established usage in parliament, that all bills for national supplies must originate in the house of commons ; but the supplies are not for that reason *gifts* and *grants* of the commons, more than of the other two estates ; for since the effect that is to follow from the resolution of the commons cannot be produced without the concurrence of the other two estates, they become equally *causæ efficientes* with the other. Doctor Barry, in a
very

very judicious treatise, has shewn, that all supplies of the body must undergo a threefold concoction or digestion, before they become fit for nutrition ; but he never dreamed, that because mastication was the first, the other two were not necessary. As it is with the supplies of the human body, so it is with those of the British state ; they are not really and truly supplies, till they have undergone a threefold digestion. It is then, and then only, that they become nutritive. But by the fundamental principles of our constitution, it has been demonstrated, that national supplies, or public taxes are not *free gifts* ; but are in their nature *duties* incumbent upon all the subjects ; and that the power of regulating those supplies rests with the representatives of the people, assembled in the parliament of Great Britain. It would have extended these remarks to too great a length, to have exposed the futility of every false proposition contained in the Essay ; but I flatter myself I have pulled the veil of deceit from so much of the performance, as will convince every candid reader, that it is a system of absurdity, founded upon malevolent misrepresentation and ignorance.

If such be the quality of the tree, the *resolves* and *instructions*, which have branched out from it, will be found to be of a similar nature with the parent stock. In illustration of this, I shall present my readers with a few remarks on these *resolves* and *instructions*, touching only the most material points, which tend to shew either the penetration

tration of the resolvers and instructors, or the spirit that actuated them. The fourth resolve is expressed in the following words, " That the inhabitants of these colonies are entitled to the same rights and liberties, WITHIN these colonies, that the subjects born in *England* are entitled to WITHIN that realm." I say, PRECISELY AND ALTOGETHER so, excepting only that the subjects of the colonies can never expect to have the supreme power of the empire resident among them. THAT must always be resident within Great Britain, and cannot be abridged of its inalienable prerogative of supreme direction. In every other respect the British colonists stand on the same footing of freedom, with the subjects within Great Britain. It is a self-evident proposition, that whoever inhabits a colony does not live in an independent country. All the power of the parliament of Great Britain, and all the clamours of seditious colonists, can never alter *a physical necessity*; and the discontented in this island have just as good a right to quarrel with government for not giving them the sky and climate of Madeira, as the factious part of the colonists to say they are injured, in not having rights *quite equal* to the rights of supreme legislators. The weary traveller, passing from France into Italy, may cry out that it is unjust in nature to have placed such towering eminencies as the Alps in his way, when the road would have been much less fatiguing over a plain; but will his outcries ever persuade any person that he is an injured man? Would the colonists but calmly and dispassionately reflect on their own situation

tuation, they would quickly discover, that the
 factious opposition to legal government, raised
 among them by interested men, is founded on a
 principle of struggling against a *natural necessity*,
 or fighting against nature ; for *while they remain*
colonies, it is not in the nature of things, that their
 rights can be *quite equal* to the rights of supreme
 legislators. And every other right of freedom,
 which British subjects possess, they also possess,
 excepting that right. Because I have a sack-full
 of diamonds, shall I throw them all away, if I
 have not one of the diamonds of the royal crown
 added to them ? It is therefore time for the sober-
 minded among the colonists, to think of preserv-
 ing to themselves the quiet enjoyment of the li-
 berties the constitution has given them, by associ-
 ating themselves with legal government, and op-
 posing the wild schemes of those, who are cla-
 mouring for imaginary prerogatives that nature
 has not given them. The well-affected ought, as
 Montesquieu says, to have “ continually present
 “ to their minds, the difference between independ-
 “ ence and liberty. Liberty is a right of doing
 “ whatever the laws permit ; and if a citizen
 “ could do what they forbid, he would no longer
 “ be possessed of liberty, because all his fellow-
 “ citizens would have the same power.” This
 resolve, as it stands at present, without the ex-
 ception I have added, is a direct claim of inde-
 pendency ; for if the colonists within the colonies,
 have the same rights as the inhabitants of Great
 Britain within this island, they are a people *sui*
juris, and dependent on none. The resolvers
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therefore either have deceived themselves, or meant to deceive others. For the sake of their characters I hope the first ; therefore I would make the Resolve more constitutional, by amending it in the following manner ; Resolved, *That the British colonists are entitled to the same privileges, in all parts of the British dominions, as the subjects born in England would enjoy in those parts.* How many millions would gladly acquiesce in such a privilege as this ! And would the colonists but cease quarrelling with a *natural necessity*, they would write this amended resolve in golden letters in all their houses, and enjoy the many blessings the constitution has bestowed upon them with thankfulness, not expressed in words only, but by an affectionate and ready submission to the CONSTITUTIONAL RULING POWER.

The next Resolve declares it to be the opinion of the Resolvers, that the American declaratory act is unconstitutional. Here there needs not a single word upon that subject, as that act has already been demonstrated to be perfectly agreeable to the fundamental principles of the constitution. The Resolvers, in the three following Resolves, declare the Boston port-act, the act for altering the administration of justice in the province of Massachusetts Bay, and the act for changing the constitution of that province, to be unconstitutional. I pass them by, as being only particular exercises of power, that must stand or fall, according to the equity or expediency of them.

Our

Our Resolvers, after giving the title of *unconstitutional* to three acts of parliament, and expecting to be believed upon their bare averment, resolve, in the four following resolutions, to enter upon an act in direct violation of the charters of all those *colonies* who shall be concerned in it, I mean to appoint deputies to assemble and consult on public affairs, with the factious deputies from other colonies, and to dare to prescribe regulations for their neighbouring colonies, who are as independent of them as of the emperor of China. No act of magistracy, or legislative act formed without the limits of any colony, can have the least legal validity within that colony, excepting an act of the supreme British Legislature.

Let us now consider some of the falsehoods in the factious instructions of the Pensylvanian committee. They declare the power claimed by parliament, to bind the colonists by statutes, in all cases whatsoever, to be a power utterly subversive of their natural and civil liberties; because, forsooth, from *local circumstances* they cannot be represented there. The supreme power of parliament over them has already been proved to be altogether consistent with their natural liberties, and to be the very best, nay, indeed, the only security of their civil liberties. Local circumstances, as has been shewn, have nothing at all to do with representation; for wherever the British dominion can be extended, representation must extend. It is the spirit of attraction that must pervade the system.

“ The power of supreme legislation, claimed
 “ by Great Britain, and the late attempts to ex-
 “ ercise it over the colonies, they say, present to
 “ our view two events. Either the colonies will
 “ sink from the rank of free men into the class of
 “ slaves ; or, if they have sense and virtue enough
 “ to exert themselves in striving to avoid this per-
 “ dition, they must be involved in an opposition,
 “ dreadful even in contemplation.” This is a
 wild alternative of their own imagination ; and
 no way a consequence of submitting, like every
 other peaceable subject, to the supremacy of the
 British legislature.

Three pages afterwards, they tell us, “ They
 “ think it their duty to exert their utmost ability
 “ in promoting and establishing harmony between
 “ Great Britain and these colonies on a constitu-
 “ tional foundation.” And how do they propose
 to do this ? By pulling the constitution to pieces ;
 by wishing to have statutes repealed essential to the
 connection of the colonies with Great Britain ;
 and then they promise, with a great many soothing
 words, to do every thing that Great Britain
 should desire them to do, *as far as they themselves*
should think fit. They then would settle a revenue
 on the crown ; and their idea of settling such a re-
 venue, they tell us, “ Arises from a sense of duty
 “ to their sovereign, and of *esteem* for their mother
 “ country.” How very polite these instructors
 are, who tell us that they condescend to *esteem* their
 mother country. I hope, however, that they
 will be taught, that the many obligations they are
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under to their mother country entitle her to a return not only of esteem but of *duty* from them ; and that there are some other rules, by which to measure that duty than the seditious resolves of a few factious men. Were they to obtain all they desire, they tell us, " The executive and controuling powers of the crown will retain their present full force and operation." Every sensible British subject in Europe and America, I believe, will think, that the controuling power of the legislature is much preferable to the controuling power of the crown.

In page 20 we are told by those instructors, " That they perfectly know that the great cause now agitated, is to be conducted to a happy conclusion, only by that well-tempered *composition* of counsels, which firmness, prudence, loyalty to their sovereign, respect to their parent state, and affection to their native country, united, must form." They have forgot one ingredient in this *composition*, I mean, *a strong attachment to the fundamental principles of the constitution*. Add but that to the above recipe, and I will engage the great cause now agitated will be speedily conducted to a happy conclusion ; and I am not without hopes, that the necessity of adding this last ingredient will soon become apparent to all the subjects, since we find the state quacks themselves a little more reasonable here than they were in the preceding page. There they told us, they only *esteemed* their parent state ; and here

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they

they are so good as to say, that they *respect* her. 'Tis to be hoped that *duty* will come by and by.

Could the instructors but obtain all they wish for, they declare they are resolved to become very good subjects. But good subjects do not put their obedience upon any such condition as that of having the will of the Legislature conform to their will. These factious committee-men, therefore, ought to declare for the present moment, what they so solemnly declare for the time to come. "In case of war, they say, or in any emergency of distress to Great Britain, we shall also be ready and willing to contribute all aids within our power, and *we solemnly declare* that on such occasions, if we, or our posterity shall refuse, neglect, or decline thus to contribute, *it will be a mean and manifest violation of a plain duty*, and a weak and wicked desertion of the true interests of this province, which ever have been, and must be bound up in the prosperity of our mother country." All very well! But why put off the performance of this to a future day? It is not *solemn declarations of what they will do*, that the state requires from the subjects: it requires a ready and willing obedience to acts of the supreme legislature, evidently consistent with fundamental principles, and manifestly conducive to the welfare of the whole community. Without that obedience the most *solemn professions* will never make good subjects.

As to the proposal of the instructors for a scheme of non-importation and non-exportation, I look upon it in the same light as I would regard a
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proposal for damming up the Thames at London bridge, or for making prisoners of all the swallows that visit us in summer; and when our wise committee-men can give us an infallible method for effecting these, I will then give them credit for the practicability of the other. In this proposal of theirs they appear to the full as consistent as the very learned Essayist; for while they acknowledge the right of Great Britain to regulate the trade of the colonies, they very modestly take upon them to regulate the trade of Great Britain.

To give us a proof of their deep sagacity, they conclude with declaring, " That they will repose the highest confidence in the wisdom and integrity of the ensuing congress." Indeed! And why not repose the same confidence in the wisdom and integrity of the supreme British legislature? This declaration of the instructors leads to the true mode of the accommodation of all differences; for the moment those colonies that are now misled by factious men, repose the highest confidence in the wisdom and integrity of the British parliament, there is an end to all disputes; and certainly the British parliament has rather a better claim to their highest confidence than the Philadelphian congress. I would refer it to the sober and serious reflection of the inhabitants of New York, or of the inhabitants of the Carolinas and Georgia, whether their interests are not as safe when entrusted with eight hundred counsellors in London, as with fifty counsellors assembled in Philadelphia? Are a few factious men, without authority and without power,

power, blindly attempting to form an interest, separate from the interest of the state, more capable of promoting the general welfare of the subjects, than the supreme legislative body constitutionally appointed to consider the various relations of all the parts of the Empire, and entrusted by the constitution with authority and power? Will Barbadoes, will Jamaica, and the other sugar colonies belonging to Great Britain acquiesce in the resentful blow aimed at them by the disturbers of the public peace on the American continent, who have not the least right to any authority over them? The seditious demagogues, therefore, by their foolish declaration of giving their highest confidence to the members of the unlawful Philadelphian congress, will, I doubt not, excite the resentment of all dutiful subjects in every part of the British empire, and animate their zeal to express, both by their words and their actions, the highest confidence in the wisdom and integrity of the Parliament of Great Britain.

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